PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (7/22/01)

Do **NOT** use for expedited rule making

Agency: Office of the Insurance Commissioner

Subject of possible rule making: The Commissioner will consider rule changes to ensure Washington State compliance with the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). Subject areas may include the availability of private individual insurance coverage, the identification of "eligible individuals," provisions relating to a "creditable coverage" determination, portability of coverage, and other corrections and clarifications.

Insurance Commissioner Matter No. R 2001-14

(a) Statutes authorizing the agency to adopt rules on this subject: RCW 48.02.060, 48.30.010, 48.41.040, 48.41.100, 48.41.110, 48.41.120, 48.41.200, 48.43.012, 48.43.015, 48.43.018, 48.43.025, 48.43.038, 48.43.041 48.44.050, 48.46.200

(b) Reasons why rules on this subject may be needed and what they might accomplish: The federal Centers for Medicare and Medicaid Services (CMS) requests rule changes in order to ensure Washington State's compliance with certain provisions of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA). This rule making is undertaken in relation to a Technical Assistance Advisory (T01-01) published on September 6, 2001 that initially outlined the CMS requirements.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: agencies:
The federal Centers for Medicare and Medicaid Services (CMS) oversee HIPAA compliance. The OIC will coordinate with CMS to ensure compliance with federal standards.

(d) Process for developing new rule (check all that apply):
- ☐ Negotiated rule making
- ☐ Pilot rule making
- X Agency study
- X Other (describe)

Please send any comments regarding this rule to:
Kacy Scott
P.O. Box 40255
Olympia, WA 98504-0255
E-Mail: Kacyb@oic.wa.gov
FAX: (360) 664-2782
By **February 4, 2002**

(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:
(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.)
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Olympia, WA 98504-0255
E-Mail: Kacyb@oic.wa.gov
FAX: (360) 664-2782

CODE REVISER USE ONLY

NAME (TYPE OR PRINT)
Mike Kreidler

SIGNATURE

TITLE	**DATE**
Insurance Commissioner	